

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

03-MDL-1570 (GBD)(SN)

**TERRORIST ATTACKS ON
SEPTEMBER 11, 2001**

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SUZZANNE ANDERSON,

NICOLE MARIE CASARA,

ANDRE COX,

**ANDRE COX, as Representative of the Estate of VIKKI
ALLYN TURNER-COX, Deceased,**

ARMOND RHIAN COX,

JENNIFER E. CURATTALO,

MARIA A. FIERRO-SWITZER,

**MARIA A. FIERRO-SWITZER, as Representative of
the Estate of WILLIAM E. SWITZER, Deceased,**

JEANNINE GRUDZIEN,

AMANDA L. GUIDICE,

JANINE LEVITT,

**JANINE LEVITT, as Representative of the Estate of
FRANK RICHARD SVOBODA, Deceased,**

RICHARD LICHTENSTEIN,

AMANDA B. MAX,

KELLY MAUREEN MIGLIACCIO,

INGRID M. MORALES,

**INGRID M. MORALES, as Representative of the Estate
of MICHAEL PATRICK SHEA, Deceased,**

LINDA KAREN PEROTTI,

DONNA JEAN RAIMONDI,

**DONNA JEAN RAIMONDI, as Representative of the
Estate of MICHAEL RAIMONDI, JR., Deceased,**

GIANNA MARY RAIMONDI,

JEANINE ANTONIA RAIMONDI,

JOHN RAKIS,

**JOHN RAKIS, as Representative of the Estate of
FREDDIE WALLACE-RAKIS, Deceased,**

PATRICIA REILLY,

**PATRICIA REILLY, as Representative of the Estate of
ROBERT J. REILLY, Deceased,**

ANTOLINO REXACH, JR.,

DANIEL REXACH,

JUSTIN F. REXACH,

PRECILLA REXACH,

**PRECILLA REXACH, as Representative of the Estate
of ANTOLINO REXACH, Deceased,**

ASHLEY NICOLE RODENHEISER,

COLLEEN MARIE RODENHEISER,

**COLLEEN MARIE RODENHEISER, as Representative
of the Estate of RICHARD EDMUND RODENHEISER,
Deceased,**

SAMANTHA JOANNE RODENHEISER,

JASON ROLON,

**JASON ROLON, as Representative of the Estate of
ROBERT ROLON, Deceased,**

MELISSA ROTHBERG,

JACOB ROZENBERG,

**JACOB ROZENBERG, as Representative of the Estate
of BORIS ROZENBERG, Deceased,**

COLIN MICHAEL SARGENT, JR.,

LINDA L. SARGENT,

**LINDA L. SARGENT, as Representative of the Estate of
COLIN MICHAEL SARGENT, Deceased,**

PATRICIA A. SARGENT,

KAREN SHERMAN,

**KAREN SHERMAN, as Representative of the Estate of
HOWARD BERNARD SHERMAN, Deceased,**

ROBIN SHERMAN,

EILEEN SHIPSEY,

**EILEEN SHIPSEY, as Representative of the Estate of
MICHAEL F. SHIPSEY, Deceased,**

JOSEPH G. SIMMONS,

JUDI P. SIMMONS,

**JUDI P. SIMMONS, as Representative of the Estate of
MARTIN C. SIMMONS, Deceased,**

KEVIN W. SIMMONS,

RYAN P. SIMMONS,

CHRISTINA SITACA,

THOMAS JOHN SITACA,

LISA SONITIS,

JOSEPHINE ANN SVOBODA,

JOHN THOMAS SWITZER,

SAMANTHA M. SWITZER,

EVELYN THOMAS,

**EVELYN THOMAS, as Representative of the Estate of
GEORGE M. THOMAS, Deceased,**

MARK THOMAS,

KRISTA LYNN THOMPSON,

GWENDOLYN AUDREY LEE TURNER,

KENNETH HERMAN TURNER,

MARK OWENS TURNER,

NANCY LOUISE TURNER,

HELEN VAUGHAN,

**HELEN VAUGHAN, as Representative of the Estate of
STEPHEN VAUGHAN, Deceased,**

JOHN VAUGHAN,

NICHOLAS VAUGHAN,

CHRISTOPHER WALSH,

DANIEL PATRICK WALSH,

DAVID JOSEPH WALSH,

MARY WALSH,

RICHARD WALSH,

**RICHARD WALSH, as Representative of the Estate of
ELIZABETH ANN WALSH, Deceased,**

GABRIELLE PAIGE YAMASHITA,

Plaintiffs,

-against-

ISLAMIC REPUBLIC OF IRAN

Defendant.

IRAN SHORT FORM
COMPLAINT AND
DEMAND
FOR TRIAL BY JURY

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Plaintiffs named herein by and through the undersigned counsel file this Short Form Complaint against Defendant, the Islamic Republic of Iran (“Iran”), arising out of the September 11, 2001 terrorist attacks (“September 11, 2001 Terrorist Attacks”), as permitted and approved by the Court’s Order of October 28, 2019, ECF No. 5234. Each Plaintiff incorporates by reference the specific allegations, as indicated below, of (a) the Federal Insurance and Ashton Plaintiffs’ Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237, or (b) the Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53.

Upon filing this Iran Short Form Complaint, each Plaintiff is deemed to have adopted all factual and jurisdictional allegations of the complaint that has been joined as specified below; all causes of action contained within that complaint; all prior filings in connection with that complaint; and all prior Orders and rulings of the Court in connection with that complaint.

Additionally, each Plaintiff incorporates the factual allegations and findings contained in those pleadings and orders filed at Havlish v. Bin Laden, No. 1:03-CV-9848 (GBD)(SN) (S.D.N.Y.), ECF Nos. 263, 294, 295; In re Terrorist Attacks on September 11, 2001, 03-MDL-1570 (GBD)(SN) (S.D.N.Y.), ECF Nos. 2430, 2431, 2432, 2433, 2473, 2515, 2516; and evidence submitted at the proceedings before the Honorable George B. Daniels on December 15,

2011 (ECF No. 2540).

VENUE

1. Venue in this district is proper pursuant to 28 U.S.C. §§ 1391(b)(2) and 1391(f)(1), as a substantial part of the events giving rise to the claims asserted herein occurred in this district. Venue is also proper in this district pursuant to 18 U.S.C. § 2334(a).

JURISDICTION

2. Jurisdiction against the Islamic Republic of Iran is premised on the grounds set forth in the complaints specified below, including but not limited to 28 U.S.C. § 1605(a) (tort exception to the Foreign Sovereign Immunities Act), 28 U.S.C. § 1605A (terrorism exception to the Foreign Sovereign Immunities Act), and 28 U.S.C. § 1605B (Justice Against Sponsors of Terrorism Act).

CAUSES OF ACTION

3. Each Plaintiff hereby adopts and incorporates by reference all factual allegations, jurisdictional allegations, and jury trial demand, including all causes of action against the Islamic Republic of Iran, as set forth in the following complaint:

- ✓ Federal Insurance and Ashton Plaintiffs' Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237
- Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53

4. In addition, each Plaintiff hereby asserts the following additional causes of action:

- Iran Short Form Complaint First Cause of Action to Recover Wrongful Death Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)

As a factual basis for this cause of action, Plaintiff(s) allege that the allegations set forth in the complaint noted above, as well as the allegations set forth in the Havlish filings noted above, establish that, as set forth herein, the injuries they suffered arose from the September 11, 2001 Terrorist Attacks; Defendant's role in the September 11, 2001 Terrorist Attacks constituted acts of international terrorism that violated state and federal laws pursuant to 18

U.S.C. § 2331; that the September 11, 2001 Terrorist Attacks constituted acts of international terrorism committed, planned or authorized by an organization that had been designated as a foreign terrorist organization under 8 U.S.C. § 1189; that the September 11, 2001 Terrorist Attacks violated state and federal laws pursuant to 18 U.S.C. § 2331; and that Defendant aided and abetted, by knowingly providing substantial assistance, with others and/or conspired with others who committed an act or acts of international terrorism in violation of 18 U.S.C. § 2333 *et seq.*

- Iran Short Form Complaint First Cause of Action to Recover Personal Injury Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)

As a factual basis for this cause of action, Plaintiff(s) allege that the allegations set forth in the complaint noted above, as well as the allegations set forth in the Havlish filings noted above, establish that, as set forth herein, the injuries they suffered arose from the September 11, 2001 Terrorist Attacks; Defendant's role in the September 11, 2001 Terrorist Attacks constituted acts of international terrorism that violated state and federal laws pursuant to 18 U.S.C. § 2331; that the September 11, 2001 Terrorist Attacks constituted acts of international terrorism committed, planned or authorized by an organization that had been designated as a foreign terrorist organization under 8 U.S.C. § 1189; that the September 11, 2001 Terrorist Attacks violated state and federal laws pursuant to 18 U.S.C. § 2331; and that Defendant aided and abetted, by knowingly providing substantial assistance, with others and/or conspired with others who committed an act or acts of international terrorism in violation of 18 U.S.C. § 2333 *et seq.*

IDENTIFICATION OF NEW PLAINTIFFS

5. The following allegations and information are alleged on behalf of each individual who is bringing this claim, as indicated on Appendix 1 to this Iran Short Form Complaint, herein referred to as "Plaintiffs."

- a. The citizenship/nationality of each Plaintiff is indicated at Appendix 1 to this Iran Short Form Complaint.
- b. Plaintiff is entitled to recover damages on the causes of action set forth in the complaint identified above, as joined by this Iran Short Form Complaint, and as further asserted within this Iran Short Form Complaint.
- c. As indicated at Appendix 1, Plaintiff (i) is the estate representative of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; (ii) is the surviving immediate family member of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; and/or (iii) suffered physical injuries as a result of the September 11, 2001 Terrorist Attacks.

- d. For those plaintiffs with personal injury claims, as indicated in Appendix 1, on or after September 11, 2001, said Plaintiff was present at the Pentagon and/or the World Trade Center site and/or its surroundings and/or lower Manhattan and/or at an area wherein he/she was exposed to toxins as a result of the terrorist attacks and was exposed to toxins from the attacks, and/or was otherwise injured, and/or as otherwise alleged, as stated specifically in Appendix 1.
- e. For those plaintiffs with personal injury and/or wrongful death claims, as indicated in Appendix 1, as a direct, proximate and foreseeable result of Defendant's actions or inactions, Plaintiff or his or her decedent suffered bodily injury and/or death, and consequently economic and other losses, including but not limited to pain and suffering, emotional distress, psychological injuries, and loss of enjoyment of life, and/or as described in the Iran Short Form Complaint, and/or as otherwise may be specified in subsequent discovery proceedings, and/or as otherwise alleged in Appendix 1.
- f. The name, relationship to the injured and/or deceased September 11 victim, residency, citizenship/nationality, and the general nature of the claim for each plaintiff asserting wrongful death and/or solatium claims is listed on the attached Appendix 1, and is incorporated herein as allegations, with all allegations of the related complaints, as specified above, deemed alleged as to each Plaintiff.

IDENTIFICATION OF THE DEFENDANT

6. The only Defendant named in this Iran Short Form Complaint is the Islamic Republic of Iran.

NO WAIVER OF OTHER CLAIMS

7. By filing this Iran Short Form Complaint, Plaintiff(s) is/are not waiving any right to file suit against any other potential defendants or parties.

8. By filing this Iran Short Form Complaint, Plaintiff(s) are not opting out of any class that the Court may certify in the future.

JURY DEMAND

9. Each Plaintiff hereby demands a trial by jury as to the claims in this action.

WHEREFORE, Plaintiffs pray for relief and judgment against Defendant as set forth in

this Iran Short Form Complaint as appropriate.

Dated: January 14, 2020

Respectfully submitted,

/s/ Barry Salzman

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COUNSEL FOR PLAINTIFFS

APPENDIX 1

Each line below is deemed an allegation, incorporating the allegations, language, and references within the Iran Short Form Complaint to which this Appendix 1 is appended and shall be referenced as Allegation 1 of Appendix 1 to the Iran Short Form Complaint, Allegation 2 of Appendix 1 to the Iran Short Form Complaint, etc.

	Plaintiff's Name (alphabetical by last name)	Plaintiff's State of Residency at Filing (or death)	Plaintiff's Citizenship/ Nationality on 9/11/2001	9/11 Decedent's Full Name	Plaintiff's Relationship to 9/11 Decedent	9/11 Decedent's Citizenship/ Nationality on 9/11/2001	Nature of Claim (wrongful death, solatium, personal injury)
1.	Suzanne Anderson	NY	US	Stephen Vaughan	Sister	US	Solatium
2.	Nicole Marie Casara	NY	US	Colin Michael Sargent	Daughter	US	Solatium
3.	Andre Cox	NJ	US	Vikki Allyn Turner-Cox	Husband	US	Solatium
4.	Andre Cox as Representative of the Estate of Vikki Allyn Turner-Cox	NJ	US	Vikki Allyn Turner-Cox	Personal Representative	US	Wrongful Death/Survival Action
5.	Armond Rhian Cox	NJ	US	Vikki Allyn Turner-Cox	Son	US	Solatium

7.	Jennifer E. Curattalo	NJ	US	Michael F. Shipsey	Daughter	US	Solatium
8.	Maria A. Fierro-Switzer	NY	US	William E. Switzer	Wife	US	Solatium
9.	Maria A. Fierro-Switzer as Representative of the Estate of William E. Switzer	NY	US	William E. Switzer	Personal Representative	US	Wrongful Death/Survival Action
10.	Jeannine Grudzien	NJ	US	Thomas Flavian Sitaca	Daughter	US	Solatium
11.	Amanda L. Guidice	NJ	US	Thomas Flavian Sitaca	Daughter	US	Solatium
12.	Janine Levitt	NJ	US	Frank Richard Svoboda	Daughter	US	Solatium
13.	Janine Levitt as Representative of the Estate of Frank Richard Svoboda	NJ	US	Frank Richard Svoboda	Personal Representative	US	Wrongful Death/Survival Action
14.	Richard Lichtenstein	VT	US	Roberta J. Vrona-Lichtenstein	Husband	US	Solatium
15.	Amanda B. Max	NY	US	Howard Bernard Sherman	Daughter	US	Solatium

16.	Kelly Maureen Migliaccio	NY	US	Colin Michael Sargent	Daughter	US	Solatium
17.	Ingrid M. Morales	NY	US	Michael Patrick Shea	Wife	US	Solatium
18.	Ingrid M. Morales as Representative of the Estate of Michael Patrick Shea	NY	US	Michael Patrick Shea	Personal Representative	US	Wrongful Death/Survival Action
19.	Linda Karen Perotti	NJ	US	George M. Thomas	Daughter	US	Solatium
20.	Donna Jean Raimondi	CT	US	Michael Raimondi, Jr.	Wife	US	Solatium
21.	Donna Jean Raimondi as Representative of the Estate of Michael Raimondi, Jr.	CT	US	Michael Raimondi, Jr.	Personal Representative	US	Wrongful Death/Survival Action
22.	Gianna Mary Raimondi	CT	US	Michael Raimondi, Jr.	Daughter	US	Solatium
23.	Jeanine Antonia Raimondi	CT	US	Michael Raimondi, Jr.	Daughter	US	Solatium
24.	John Rakis	NY	US	Freddie Wallace-Rakis	Husband	US	Solatium
25.	John Rakis as Representative of the Estate of Freddie Wallace-Rakis	NY	US	Freddie Wallace-Rakis	Personal Representative	US	Wrongful Death/Survival Action

26.	Patricia Reilly	FL	US	Robert J. Reilly	Wife	US	Solatium
27.	Patricia Reilly as Representative of the Estate of Robert J. Reilly	NJ	US	Robert J. Reilly	Personal Representative	US	Wrongful Death/Survival Action
28.	Antolino Rexach, Jr.	NY	US	Antolino Rexach	Son	US	Solatium
29.	Daniel Rexach	OK	US	Antolino Rexach	Son	US	Solatium
30.	Justin F. Rexach	OK	US	Antolino Rexach	Son	US	Solatium
31.	Precilla Rexach	OK	US	Antolino Rexach	Wife	US	Solatium
32.	Precilla Rexach as Representative of the Estate of Antolino Rexach	OK	US	Antolino Rexach	Personal Representative	US	Wrongful Death/Survival Action
33.	Ashley Nicole Rodenheiser	VA	US	Richard Edmund Rodenheiser	Daughter	US	Solatium
34.	Colleen Marie Rodenheiser	VA	US	Richard Edmund Rodenheiser	Wife	US	Solatium
35.	Colleen Marie Rodenheiser as Representative of the Estate of Richard Edmund Rodenheiser	VA	US	Richard Edmund Rodenheiser	Personal Representative	US	Wrongful Death/Survival Action

36.	Samantha Joanne Rodenheiser	VA	US	Richard Edmund Rodenheiser	Daughter	US	Solatium
37.	Jason Rolon	NY	US	Robert Rolon	Son	US	Solatium
38.	Jason Rolon as Representative of the Estate of Robert Rolon	FL	US	Robert Rolon	Personal Representative	US	Wrongful Death/Survival Action
39.	Melissa Rothberg	NY	US	Howard Bernard Sherman	Daughter	US	Solatium
40.	Jacob Rozenberg	NY	US	Boris Rozenberg	Son	US	Solatium
41.	Jacob Rozenberg as Representative of the Estate of Boris Rozenberg	NY	US	Boris Rozenberg	Personal Representative	US	Wrongful Death/Survival Action
42.	Colin Michael Sargent, Jr.	NY	US	Colin Michael Sargent	Son	US	Solatium
43.	Linda L. Sargent	NY	US	Colin Michael Sargent	Wife	US	Solatium

44.	Linda L. Sargent as Representative of the Estate of Colin Michael Sargent	NY	US	Colin Michael Sargent	Personal Representative	US	Wrongful Death/Survival Action
45.	Patricia A. Sargent	NY	US	Colin Michael Sargent	Daughter	US	Solatium
46.	Karen Sherman	NY	US	Howard Bernard Sherman	Wife	US	Solatium
47.	Karen Sherman as Representative of the Estate of Howard Bernard Sherman	NY	US	Howard Bernard Sherman	Personal Representative	US	Wrongful Death/Survival Action
48.	Robin Sherman	NY	US	Howard Bernard Sherman	Daughter	US	Solatium
49.	Eileen Shipsey	FL	US	Michael F. Shipsey	Wife	US	Solatium
50.	Eileen Shipsey as Representative of the Estate of Michael F. Shipsey	FL	US	Michael F. Shipsey	Personal Representative	US	Wrongful Death/Survival Action
51.	Joseph G. Simmons	NY	US	Martin C. Simmons	Son	US	Solatium
52.	Judi P. Simmons	NY	US	Martin C. Simmons	Wife	US	Solatium

53.	Judi P. Simmons as Representative of the Estate of Martin C. Simmons	NY	US	Martin C. Simmons	Personal Representative	US	Wrongful Death/Survival Action
54.	Kevin W. Simmons	NY	US	Martin C. Simmons	Son	US	Solatium
55.	Ryan P. Simmons	NY	US	Martin C. Simmons	Son	US	Solatium
56.	Christina Sitaca	NJ	US	Thomas Flavian Sitaca	Wife	US	Solatium
57.	Thomas John Sitaca	NJ	US	Thomas Flavian Sitaca	Son	US	Solatium
58.	Lisa Sonitis	NY	US	Robert Rolon	Daughter	US	Solatium
59.	Josephine Ann Svoboda	NJ	US	Frank Richard Svoboda	Wife	US	Solatium
61.	John Thomas Switzer	NC	US	William E. Switzer	Brother	US	Solatium
62.	Samantha M. Switzer	NY	US	William E. Switzer	Daughter	US	Solatium
63.	Evelyn Thomas	NY	US	George M. Thomas	Wife	US	Solatium

64.	Evelyn Thomas as Representative of the Estate of George M. Thomas	NY	US	George M. Thomas	Personal Representative	US	Wrongful Death/Survival Action
65.	Mark Thomas	NY	US	George M. Thomas	Son	US	Solatium
66.	Krista Lynn Thompson	NJ	US	Frank Richard Svoboda	Daughter	US	Solatium
67.	Gwendolyn Audrey Lee Turner	GA	US	Vikki Allyn Turner-Cox	Mother	US	Solatium
68.	Kenneth Herman Turner	NJ	US	Vikki Allyn Turner-Cox	Brother	US	Solatium
69.	Mark Owens Turner	GA	US	Vikki Allyn Turner-Cox	Brother	US	Solatium
70.	Nancy Louise Turner	NC	US	Vikki Allyn Turner-Cox	Sister	US	Solatium
71.	Helen Vaughan	NY	US	Stephen Vaughan	Wife	US	Solatium
72.	Helen Vaughan as Representative of the Estate of Stephen Vaughan	NY	US	Stephen Vaughan	Personal Representative	US	Wrongful Death/Survival Action
73.	John Vaughan	NY	US	Stephen Vaughan	Brother	US	Solatium
74.	Nicholas Vaughan	NY	US	Stephen Vaughan	Son	US	Solatium
75.	Christopher Walsh	NY	US	Elizabeth Ann Walsh	Son	US	Solatium

76.	Daniel Patrick Walsh	NY	US	Elizabeth Ann Walsh	Son	US	Solatium
77.	David Joseph Walsh	NY	US	Elizabeth Ann Walsh	Son	US	Solatium
78.	Mary Walsh	NY	US	Elizabeth Ann Walsh	Daughter	US	Solatium
79.	Richard Walsh	NY	US	Elizabeth Ann Walsh	Husband	US	Solatium
80.	Richard Walsh as Representative of the Estate of Elizabeth Ann Walsh	NY	US	Elizabeth Ann Walsh	Personal Representative	US	Wrongful Death/Survival Action
81.	Gabrielle Paige Yamashita	VA	US	Richard Edmund Rodenheiser	Daughter	US	Solatium